

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTWONE STOKES,

Plaintiff,

v.

CHEEK, *et al.*,

Defendants.

Case No. 1:24-cv-00691-BAM (PC)

**ORDER REQUIRING DEFENDANTS TO
RESPOND TO PLAINTIFF’S MOTION FOR
PRELIMINARY INJUNCTION**

(ECF No. 43)

TWENTY-ONE (21) DAY DEADLINE

Plaintiff Antwone Stokes (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendants Cheek, Orcullo, and Alvarez¹ (“Defendants”) for failure to protect and denial of medical care in violation of the Eighth Amendment. All parties have consented to Magistrate Judge jurisdiction. (ECF No. 32.)

On December 29, 2025, Plaintiff filed a notice with the Court. (ECF No. 43.) Plaintiff alleges that on December 9, 2025, during pill call and at the direction of a correctional officer, he was jumped by six inmates and has four fractures in his face due to a letter he sent involving Defendant Cheek. (*Id.*) Plaintiff seeks assistance, which the Court construes a motion for preliminary injunction.

Based on the allegations forwarded by Plaintiff, the Court finds it appropriate for Defendants to file a response to Plaintiff’s motion. Specifically, Defendants should address not only Plaintiff’s allegations, but also whether there are any active concerns for Plaintiff’s safety.

1 Accordingly, Defendants are HEREBY ORDERED to file a response to Plaintiff's motion
2 for preliminary injunction, (ECF No. 43), within **twenty-one (21) days** from the date of service
3 of this order.

4
5 IT IS SO ORDERED.

6 Dated: **January 5, 2026**

/s/ *Barbara A. McAuliffe*
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28